

1 Final Pretrial Conference: August 25, 2008.

2 **18. Trial**

3 TCML has demanded a trial by jury. SFDC and Astadia are willing to try the case to the
4 Court. The parties expect a jury trial to take approximately 7-10 trial days.

5 **19. Disclosure of Non-Party Interested Persons or Entities**

6 The parties have filed certifications of interested parties or persons.

7 SFDC is a publicly-held corporation. It has no parent corporation. Many institutions and
8 mutual funds are holders of its stock. The two largest such holders are Fidelity-related funds and TCW
9 Funds. If the Court deems it necessary, SFDC can supply a list of other mutual funds with significant
10 holdings. In addition, many individuals, including SFDC insiders, hold its stock.

11 TCML is privately held by the TCML Business trust under which Mr. John Danieli
12 and/or members of his immediately family hold 100% of the beneficial interests.

13 Astadia Consulting, LLC has no parent corporation and no publicly held corporation
14 owns 10% or more of its stock.

15 **20. Other matters any party considers conducive to the just, speedy and inexpensive
16 determination of this action.**

17 The parties have no other matters that they presently consider conducive to the just,
18 speedy and inexpensive determination of the action.

19 DATED: October 11, 2007

ROBERT T. SULLWOLD
JAMES A. HUGHES
SULLWOLD & HUGHES

20 By: _____ /S/
21 JAMES A. HUGHES
22 Attorneys for Plaintiff
23 SALESFORCE.COM, INC.

24 DATED: October 11, 2007

25 McGRANE GREENFIELD LLP
26 By: _____ /S/
27 CHRISTOPHER D. SULLIVAN
28 Attorneys for Counter-Defendant and
Counterclaimant
ASTADIA CONSULTING, LLC